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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) NO. 245/2016 & IA No.6602/2016 (of defendant u/S 8
of Arbitration & Conciliation Act, 1996).

M/S REEBOK INDIA COMPANY Plaintiff
Through: Mr. Niraj Singh, Mr. Alok Kr.
Srivastav and Mr. Akshay Bhandari,
Advs.

versus

C A RAMESH BABU Defendant
Through: Mr. Bijoy Kumar Pradhan and Ms.
Madhusmit Bora, Advs.

CORAM:
HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER
% **22.09.2016**

1. This order is in continuation of the earlier order dated 14th September, 2016.
2. The cost imposed on 14th September, 2016 has been paid by the counsel for the plaintiff to the counsel for the defendant.
3. The counsel for the plaintiff states that the plaintiff, without prejudice to its rights and contentions, has no objection to the appointment of an Arbitrator subject to the defendant agreeing to an Arbitrator being appointed by this Court today only and the reference to such Arbitrator being made by this Court today only.
4. The counsel for the defendant is agreeable.
5. Accordingly, in terms of the agreement arrived at between the parties today, the disputes subject matter of this suit as well as other disputes if any between the parties arising out of or in relation to the Franchise

Agreement dated 17th August, 2006 and the Settlement Agreement dated 27th February, 2013 are referred to the sole arbitration of Justice V.B. Gupta (Retd.) (Mob.9871300039).

6. As per the agreement and request of the counsels, the arbitration will be in accordance with the Rules of the Delhi High Court Arbitration Centre.

7. The parties to appear before the Delhi High Court Arbitration Centre on 6th October, 2016 at 1100 hours.

8. It is made clear that no fresh notice would be issued to either of the parties and if either of the parties fails to appear before the Delhi High Court Arbitration Centre, it shall be proceeded against *ex parte*.

9. The fee and cost of the arbitration are also agreed to be in accordance with the Rules of the Delhi High Court Arbitration Centre.

10. The suit is disposed of with the aforesaid.

11. On request of the counsel for the plaintiff, the court fee paid by the plaintiff on the suit is ordered to be refunded. The Registry to hand over to the counsel for the plaintiff a certificate enabling the plaintiff to obtain refund of the court fee paid on the suit.

RAJIV SAHAI ENDLAW, J

SEPTEMBER 22, 2016

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